MINUTES TOWN OF EDGEWOOD

REGULAR COUNCIL MEETING – JANUARY 7, 2009 @ 6:30 P.M. EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD

1. CALL TO ORDER.

Mayor Stearley called the Meeting to order @ 6:30 P.M.

All Councilors were present. Also present was Ms. Karen Mahalick, Community Planning & Development Manager, and Ms. Estefanie B. Muller, Clerk-Treasurer.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA.

MOTION: Councilor Felton made a motion to approve the Agenda as

presented. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.

Councilor Hill voted aye. Councilor Simmons voted aye. The

motion carried.

4. MATTERS FROM THE MAYOR.

A. Presentation of Certificates for the Library Re-Location.

Mayor Stearley discussed the Caucus Luncheon that he attended and the discussion on Children's Programs before and after school that are in place in Bernalillo and Los Lunas. He also reminded everyone of the COW nominations that were coming up.

Mayor Stearley discussed the library attendance and the success in the Relocation and asked to acknowledge the owners of the building Mr. Bill and Ms. Molly Pittman for allowing the Town an affordable lease as well as some of the improvements.

Mayor Stearley also acknowledged the board members as well as other community members who donated time to make the library a reality.

5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

B. Impact Fee Update by Councilor Hill.

Councilor Hill discussed the Impact Fees stating that he had been in contact with Santa Fe County and that he was hopeful that they would be compliant and forthcoming so that the Town would be comfortable moving forward. Councilor Hill stated that he would provide a Resolution at the next Council Meeting.

6.	MATTERS FROM THE ATTORNEY.
	None.

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7. **PUBLIC COMMENTS.** (Limit to 2 minutes per person)

Note: If you plan to testify under Public Hearings, please do not sign up for this topic.

Mr. Philip Anaya representing Moriarty/Edgewood School District discussed the upcoming election, including two seats that were available on the Board. He also discussed the Mill Levy that is also on the ballot stating that it is a Capital Improvement Mill Levy and that the funds are provided as a maintenance item and are very important for emergencies. He asked for support for the Levy to be voted on again as this does not impose an increase in taxes.

Councilor Simmons asked about security and the funds to provide additional security.

Mr. Anaya stared that the funds did allow for better security and in the long run was a benefit to the entire community.

8. TALKING TALONS PRESENTATION – Ms. Ariel Dunlap

C. Tobacco Prevention Program.

Ms. Ariel Dunlap and Ms. Shelby Blessing gave a presentation on behalf of Talking Talons regarding Tobacco Awareness. They also provided pictures, statistics and related information about Tobacco. This group is available for Tobacco presentations at schools.

Councilor Simmons discussed some of her personal experiences with Tobacco use.

9. MATTERS FROM THE MUNICIPAL JUDGE.

D. Judge White will review his report for the month of December, 2008. Judge White presented his report for the month of December including a review of the Uniform Traffic Ordinance and some changes that he deems necessary. He also discussed the changes to the court schedules as to accommodate the police officers schedules.

Councilor Simmons commented on the funds collected and asked if that was a reflection of the Town of Edgewood Police Departments inception.

Judge White stated that it was.

10. ANIMAL CONTROL REPORT – Officer Victoria Murphy.

E. Animal Control Report for the month of December, 2008.

Ms. Victoria Murphy presented the Animal Control Report for the month of December as well as some statistics that she would be providing in the form of a pie chart updating the Council as to the status since the inception of the Town of Edgewood Animal Control.

Councilor Simmons commented on the fact that the Animal Control made every effort possible to adopt the animals as opposed to euthanasia.

11. PUBLIC HEARINGS.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

F. Ordinance No. 2009-01 Annexing 947.040 Acres of Territory adjoining the Southwestern Boundary of the Town of Edgewood, being Section 32, T10N,7E

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and a Portion of Section 29, T10N, R7E.

Ms. Mahalick certified that public notice had been posted as required.

At this time Mayor Stearley called for public comment and there was none.

MOTION: Councilor Hill made a motion to adopt Ordinance No. 2009-01.

Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye.

Councilor Felton voted aye. Councilor Abrams voted aye. The

motion carried.

G. Amend the Town of Edgewood Zoning Map.

Ms. Mahalick reviewed the Zoning Map for the Council.

MOTION: Councilor Simmons made a motion to accept the Zoning Map.

Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.

Councilor Hill voted aye. Councilor Simmons voted aye. The

motion carried.

H. Request to Amend the Zoning Ordinance.

Ms. Mahalick informed the Council that some of the documents were missing from their packets and she asked that they table this item for the next meeting.

MOTION: Councilor Abrams made a motion to table this item for the next

Council meeting. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye.

Councilor Felton voted aye. Councilor Abrams voted aye. The

motion carried.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

I. Amendment of Ordinance No. 2007-14 An Ordinance Establishing a Parks and Recreation Advisory Committee and Abolishing the Parks and Recreation Commission. The Amendment if Approved will include the Appointment of Two (2) Alternates to the Committee.

Ms. Muller certified that public notice of this meeting has been posted as required.

Ms. Muller reviewed the changes for Council.

There was no public comment at this time.

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MOTION: Councilor Hill made a motion to adopt the Amendment to

Ordinance 2007-14 and including the deletion of the word "her" from paragraph B-7. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.

Councilor Hill voted aye. Councilor Simmons voted aye. The

motion carried.

12. RESOLUTIONS.

J. Resolution No. 2009-01 – Budget Resolution for the purchase of a Payroll Module.

Ms. Muller updated the Council on this item stating that staff would like to purchase the modular at this time.

Mayor Stearley stated that these funds could come out of the reserves.

Councilor Abrams asked if this total was inclusive of installation.

Ms. Mahalick stated that it was.

Councilor Simmons asked for clarification as to the amount.

Ms. Muller stated that the amount left in the account was \$3,000.00 and that an increase of \$9,250.00 would be required to purchase the module.

Councilor Hill asked if this could be tabled to allow for staff to make the necessary changes to the wording to take the funds form Capital Improvements as opposed to the General Fund.

MOTION: Councilor Hill made a motion to table this item. Councilor

Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.

Councilor Hill voted aye. Councilor Simmons voted aye. The

motion carried.

K. Resolution No. 2009-02 – Budget Resolution to increase General Fund by \$750,000 from N.M. State LGIP Fund.

Ms. Muller reviewed this item for the Council stating that this was a payment for the sewer.

MOTION: Councilor Felton made a motion to approve Resolution No 2009-

02. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye.

Councilor Felton voted aye. Councilor Abrams voted aye. The

motion carried.

L. Resolution No. 2009-03 – Resolution for the 2010 Census.

Ms. Muller reviewed this item stating that this was in response to Councilor Hill's request at the previous Council meeting.

Councilor Hill asked that this Resolution also include Southern Santa Fe County and that was simply a statement of support and is not a force of law.

MOTION: Councilor Hill made a motion to approve Resolution No. 2009-03

with an amendment under the first "Whereas" to replace

"development district 3" with "development district 2" as well as inserting the word North before Central and deleting the remainder of the sentence. Councilor Abrams seconded the motion with the

amendments.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.

Councilor Hill voted aye. Councilor Simmons voted aye. The

motion carried.

13. COMMUNITY DEVELOPMENT REPORT.

M. Sign Ordinance Update.

Ms. Mahalick reviewed this draft item for the Council requesting a Public Hearing be scheduled at the first meeting of February. She also highlighted some of the changes for Council and the Public.

Mayor Stearley asked if there were any changes regarding banners.

Ms. Mahalick stated that it would remain as stated but that after 45 days they do need to be removed.

Councilor Felton asked about illumination restrictions.

Ms. Mahalick stated that compliance with the Night Sky Ordinance was required and they must be extinguished by 11:00 PM. She also reviewed on some of the other restrictions and allowances.

Mayor Stearley requested that the Zoning Chairman attend the next meeting.

MOTION: Councilor Hill made a motion to call for a Public Hearing.

Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.

Councilor Hill voted aye. Councilor Simmons voted aye. The

motion carried.

N. Acceptance of Maintenance for Coyote Crossing Road.

Ms. Mahalick reviewed this item for the Council including her recommendations.

MOTION: Councilor Simmons made a motion to accept maintenance for

Coyote Crossing. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye.

Councilor Felton voted aye. Councilor Abrams voted aye. The

motion carried.

O. Update on #199 Frost Road Concern and Frost Road Project.

Ms. Mahalick stated that in fact this was an improvement to his property but that Page 5 of 8 January 7, 2009

everything possible was being done to accommodate said property. Councilor Simmons requested that an engineer evaluate run-off and drainage.

P. Frost Road Reconstruction & Drainage Improvements-Change Order #2. Ms. Mahalick reviewed this item for the Council and described the additional costs as well as the means to pay for them at a total of \$7,158.14.

MOTION: Councilor Simmons made a motion to approve Change Order # 2. Councilor Felton seconded for discussion.

Councilor Felton asked about the alternatives to approving of the Change Order. Ms. Mahalick stated that this would result in the project coming to a stop.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The

motion carried.

Q. Update on Legislative Projects.

Ms. Mahalick discussed this item for the Council stating that two items were on a list for removal and that they had both been sent back in and were still in the works as they are still looking for projects to fund.

Councilor Felton asked about the construction of the fields.

Ms. Mahalick stated it was all lumped together as a municipal project that would amount to 1 field being completed.

14. APPROVAL OF PREVIOUS MINUTES.

R. Regular Council Meeting Minutes of December 17, 2008.

MOTION: Councilor Felton made a motion to approve the Minutes from

December 17, 2008 as presented. Councilor Hill seconded the

motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye.

Councilor Felton voted aye. Councilor Abrams voted aye.

The motion carried.

15. ACKNOWLEDGE RECEIPT OF THE PLANNING & ZONING COMMISSION MEETING MINUTES.

S. Planning & Zoning Commission Meeting of December 1, 2008.

MOTION: Councilor Hill made a motion to table this item. Councilor Felton

seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.

Councilor Hill voted aye. Councilor Simmons voted aye. The

motion carried.

T. Planning & Zoning Commission Meeting of December 22, 2008. (Note: Meeting of December 15, 2008 cancelled due to inclement weather).

MOTION: Councilor Hill made a motion to acknowledge receipt of the Planning and Zoning Meeting Minutes from December 22, 2008 with comment. Councilor Felton seconded the motion.

Councilor Hill requested that all motions be made in the affirmative.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

16. ACKNOWLEDGE RECEIPT OF THE ENERGY COMMITTEE MEETING MINUTES.

U. Meeting Minutes of December 27, 2008.

MOTION: Councilor Hill made a motion to approve the Energy Committee Minutes from December 27, 2008. Councilor Simmons

seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.

Councilor Hill voted aye. Councilor Simmons voted aye. The

motion carried.

V. Review of letter to N.M. State Representatives on Energy.

Councilor Abrams reviewed the letter with the Council. The Council requested the actual letter to be sent to the Legislature be brought back to them before submittal.

17. CLOSED SESSION.

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-(H)(7) and 10-15-(H)(8) the following will be discussed in Closed Session.

- Pending Litigation.
- Property Acquisition.

MOTION: Councilor Felton made a motion to enter into closed session.

Councilor Abrams seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye.

Councilor Felton voted aye. Councilor Abrams voted aye. The

motion carried.

MOTION: Councilor Felton made a motion to come back into open session.

Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.

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Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

ATTEST:

Councilor Abrams made a motion to attest that no action was taken during the session and that the only items discussed were the Pending Litigation and Property Acquisition. Councilor Simmons attested. Councilor Hill attested. Mayor Stearley attested. Councilor Felton attested. Councilor Abrams attested.

18. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.

- W. Regular Council Meeting January 21, 2009.
- X. Town of Edgewood 10th Anniversary Celebration.

The Mayor discussed the anniversary for the Town could be held on July 4th. He asked if Council would like to appoint a committee to begin preparation. Upon discussion the Council stated an informal committee of the Mayor, Parks & Recreation and Staff bring forth a budget item and a program.

Note: The Town Hall Office will be closed on Monday, January 19th in observance of Martin Luther King, Jr. Day.

19. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting

VOTE: All councilors voted aye. The motion carried.

Mayor Stearley adjourned the meeting at 8:55 P.M.

PASSED, APPROVED and ADOPTED this 21st day of JANUARY, 2009.

ATTEST:	Honorable Robert Stearley, Mayor
Estefanie B. Muller, Clerk-Treasurer	_